



Under Secretary of Commerce for Intellectual Property and
Director of the United States Patent and Trademark Office
Washington, DC 20231
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In re application of
Stephen H. Brown et al.
Serial No. 09/429,295
Filed: October 28, 1999
For: CONVERSION OF UNSATURATED CHEMICALS
TO OLIGOMERS

DECISION ON
PETITION

This is a response to the REQUEST FOR RECONSIDERATION OF PETITION TO WITHDRAW HOLDING OF ABANDONMENT, filed March 18, 2003 by facsimile transmission. The request asks that the abandonment, as set forth in the Notice of Abandonment of August 28, 2002, for failure to timely file a proper reply to the Office Action mailed January 24, 2002 be withdrawn. The requestor asserts that a response was filed April 24, 2002.

DECISION


Since the requester asserts that a timely response was filed, the request for reconsideration is accepted as a petition under 37 C.F.R. § 1.181 (no fee).

The original petition filed October 23, 2002 was denied because Applicants submitted Statements (not declarations), a post card receipt from the USPTO failing to contain a dated STAMP and that the copy of the actual amendment failed to contain a certificate of mailing.

In this request for reconsideration, Applicants maintain that declarations are not required to show that the subject response was timely filed and that 37 CFR 1.8(b)(3) only requires a statement. Applicants have demonstrated that the subject response that was mailed to the USPTO On April 24, 2002 did in fact include a proper certificate of mailing. Applicants also submit that a return postcard is not needed to show that the Response was timely filed with the USPTO. Applicants further note the Decision on Petition was addressed to Mobil Business Resources Center even though Applicants have previously requested a change in the correspondence address for the application pursuant to a substitute Power Of Attorney dated November 7, 2001.

Upon review of Applicants request for reconsideration, the Notice of Abandonment of August 28, 2002 is hereby withdrawn, the application is returned to pending status, applicants' response of April 24, 2002 is entered into the file. Applicants change in correspondence address is entered and the case is forward to the Examiner for consideration of Applicants' response.

The Petition is **GRANTED**.

A handwritten signature in black ink, appearing to read "J. Stone".

Jacqueline Stone, Director
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